

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

PEDRO RAMIREZ, JR., Individually and §  
on Behalf of All Others Similarly Situated §  
Plaintiff, §

Case No. 3:16-cv-3111-K

v. §

EXXON MOBIL CORPORATION, §  
REX W. TILLERSON, ANDREW P. §  
SWIGER and JEFFREY J. WOODBURY §

Defendants. §

§

**STIPULATION AND PROPOSED ORDER**

WHEREAS, on November 7, 2016, Pedro Ramirez, Jr., the plaintiff (“Plaintiff”) in this action (the “Action”), filed a class action complaint (the “Complaint”) asserting claims against Defendant Exxon Mobil Corporation (“ExxonMobil”), and Defendants Rex W. Tillerson, Andrew P. Swiger, and Jeffrey J. Woodbury (collectively, the “Individual Defendants”) pursuant to Sections 10(b) and 20(a) of the Securities Exchange Act of 1934 (the “Exchange Act”) and SEC Rule 10b-5:

WHEREAS, the Complaint in this Action is governed by the provisions of the Private Securities Litigation Reform Act (the “PSLRA”), which provides for a specific process for the appointment of lead plaintiff(s) and lead counsel to represent the putative class;

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for Plaintiff and the attorneys for ExxonMobil and the Individual Defendants, as follows:

1. Undersigned counsel for ExxonMobil and the Individual Defendants are authorized to accept, and hereby do accept, service of the summons and Complaint on behalf of

ExxonMobil and the Individual Defendants, without prejudice and without waiver of any of ExxonMobil's and/or the Individual Defendants' defenses, objections or arguments in this matter or any other matter, except as to sufficiency of service of process. By entering into this Stipulation, Plaintiff shall not waive, and expressly preserves, all rights, claims and defenses.

2. Prior to the entry of an order appointing, pursuant to the PSLRA, lead plaintiff(s) and lead counsel in the Action (or a consolidated action encompassing the Action), ExxonMobil and the Individual Defendants shall not be required to answer, move, or otherwise respond to, and are hereby expressly relieved from answering, moving, or otherwise responding to, the Complaint subject to the provisions of paragraph 3 below.

3. Within 15 days after the entry of an order appointing, pursuant to the PSLRA, lead plaintiff(s) and lead counsel in the Action (or a consolidated action encompassing the Action), lead plaintiff(s), ExxonMobil, and the Individual Defendants shall confer and propose to this Court dates by which: (1) lead plaintiff(s) shall either (a) serve and file a consolidated class action complaint, which shall serve as the operative complaint in the Action and shall supersede all other complaints filed in and/or transferred to this Court, or (b) notify counsel for ExxonMobil and the Individual Defendants that the original Complaint filed by lead plaintiff(s) will be the operative complaint in the Action; and (2) ExxonMobil and the Individual Defendants shall move, answer, or otherwise respond to the operative complaint, except that ExxonMobil and the Individual Defendants shall not be required to move, answer, or otherwise respond to the operative complaint earlier than 60 days from the date proposed by the parties in connection with the matters identified in subsection (1) of this paragraph 3.

4. There have been no requests for an extension of time in this matter.

Dated: December 19, 2016

**KENDALL LAW GROUP, PLLC**

By: /s/ Joe Kendall  
Joe Kendall  
State Bar No. 11260700  
jkendall@kendalllawgroup.com  
Jamie McKey  
jmckey@kendalllawgroup.com  
3232 McKinney, Suite 700  
Dallas, Texas 75204  
(214) 744-3000  
Fax: (214) 744-3015

**ROBBINS GELLER RUDMAN & DOWD LLP**

Samuel H. Rudman  
srudman@rgrdlaw.com  
Mary K Blasy  
mblasy@rgrdlaw.com  
58 South Service Road, Suite 200  
Melville, NY 11747  
(631) 367-7100  
Fax: (631) 367-1173

Patrick J. Coughlin  
patc@rgrdlaw.com  
Nathan R. Lindell  
nlindell@rgrdlaw.com  
655 West Broadway, Suite 1900  
San Diego, CA 92101  
(619) 231-1058  
Fax: (619) 231-7423

John C. Herman  
jherman@rgrdlaw.com  
Monarch Centre, Suite 1650  
3424 Peachtree Road, N.E.  
Atlanta, GA 30326  
(404) 504-6500  
Fax: (404) 504-6501

*Counsel for Plaintiff Pedro Ramirez, Jr.*

Dated: December 19, 2016

**BALON B. BRADLEY LAW FIRM**

Balon B. Bradley  
State Bar No. 02821700  
balon@bbradleylaw.com  
5473 Blair Road, Suite 100  
Dallas, TX 75231  
(972) 991-1582  
Fax: (972) 755-0424

**ABRAHAM, FRUCHTER & TWERSKY, LLP**

Jeffrey S. Abraham  
jabraham@aftlaw.com  
One Penn Plaza, Suite 2805  
New York, NY 10119  
(212) 279-5050  
Fax: (212) 279-3655

*Counsel for Plaintiff Pedro Ramirez, Jr.*

Dated: December 19, 2016

**PAUL, WEISS, RIFKIND, WHARTON & GARRISON, LLP**

By: /s/ Daniel J. Kramer

Theodore V. Wells, Jr.\*

twells@paulweiss.com

Daniel J. Kramer\*

dkramer@paulweiss.com

Daniel J. Toal\*

dtoal@paulweiss.com

Gregory F. Laufer\*

glaufer@paulweiss.com

1285 Avenue of the Americas

New York, NY 10019-6064

(212) 373-3000

Fax: (212) 757-3990

**HAYNES & BOONE, LLP**

By: /s/ Nina Cortell

Nina Cortell

State Bar No. 04844500

nina.cortell@haynesboone.com

Daniel H. Gold

State Bar No. 24053230

daniel.gold@haynesboone.com

2323 Victory Avenue, Suite 700

Dallas, TX 75219

(214) 651-5000

Fax: (214) 651-5940

\* *pro hac vice* application forthcoming

*Counsel for Defendants Exxon Mobil Corporation, Rex W. Tillerson, Andrew P. Swiger, and Jeffrey J. Woodbury*

SO ORDERED:

\_\_\_\_\_  
Dated

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE